



MISSISSIPPI'S FOREST LEGACY PROGRAM  
FACT SHEET - 2010  
03/2010 update

### What is the Forest Legacy Program?

The Forest Legacy Program (FLP) is a USDA Forest Service program in partnership with Mississippi that will help support local efforts to protect environmentally sensitive, privately owned forest lands threatened by conversion to non-forest use *through land acquisition and conservation easements*. A part of the 1990 Farm Bill, FLP has been used in other states to purchase key forests or the development rights on those forests to protect them as working forests forever. Forest lands that contain important fish and wildlife habitats, scenic, cultural, recreational and/or water resources or other ecological values and that will support continuation of traditional forest uses receive priority in FLP.

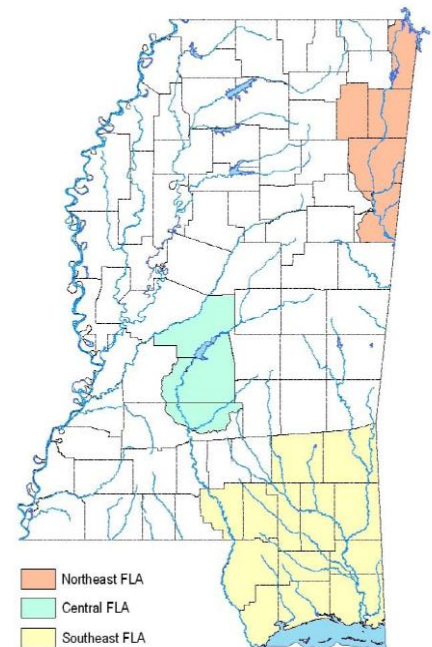
### How does Forest Legacy work?

The MFC has identified three Forest Legacy Areas (FLAs) based on input from the public and under the guidance of the State Forest Stewardship Coordinating Committee in our *FLP Assessment of Need*, which was approved in 2007. Funds are now available for the purchase of the forestland outright or for the purchase of development rights (through conservation easements) on approved FLP tracts nominated in Mississippi. Funds are provided to the MFC through a grant from the Forest Service and will be used to support the purchase of conservation easements, donation of conservation easements and the purchase of forest lands. Mississippi will emphasize conservation easements, so that FLP properties remain in private ownership. Lands purchased in fee title with Funds will remain in ownership by a local, state or federal agency for conservation.

### Where are the Forest Legacy Areas in Mississippi and what are the priorities within each?

There are three FLAs in Mississippi called the Southeast, Central and Northeast Forest Legacy Areas. Applicants must own property that falls into one of these three areas to be considered for the program, and the forested tracts must meet the state and national program objectives. The following is a map of each FLA and a list of the conservation priorities, important public lands and threats to forests in each area. FLAs were identified based on many factors including the habitat diversity, types of natural forest communities in each area, significant past and projected increases in human population and recent conversion of forestland to other uses.

Mississippi Forest Legacy Areas



**Northeast MS Forest Legacy Area** includes parts of 6 Counties - Clay, Itawamba, Lee, Lowndes, Monroe, Tishomingo.

**Important Forest Types in the Northeast FLA:**

Bottomland hardwoods, lower slope/high terrace hardwood forests, dry hardwood forests, dry to mesic hardwood forests.

**Other Conservation Values and Priorities in the Northeast FLA:**

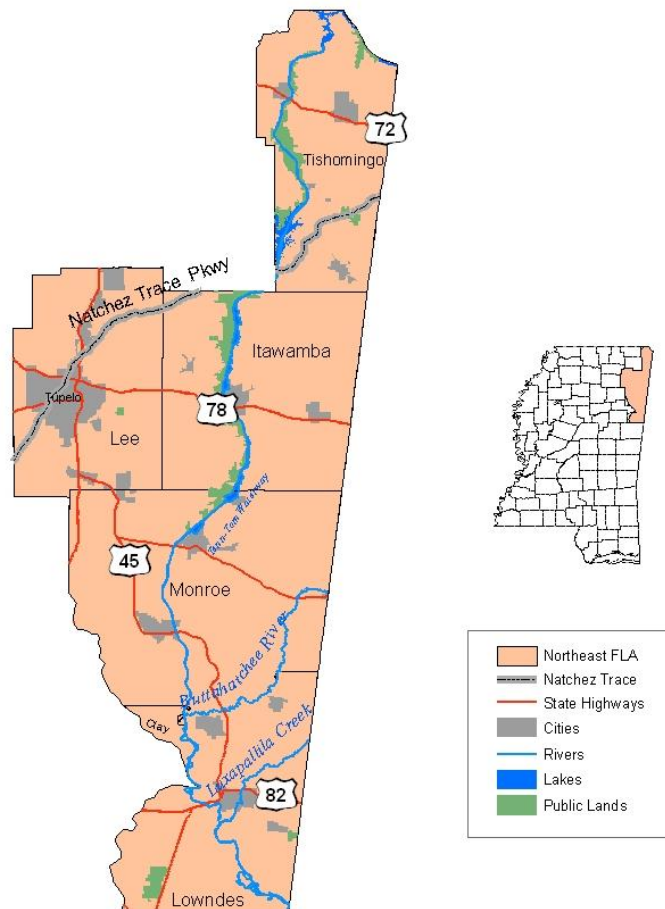
Tombigbee drainage, Northeast Hills/Tennessee River drainage, Buttahatchie River, Tennessee-Tombigbee River, Natchez Trace corridor, scenic streams, riparian corridors and forested wetlands along ecoregional priority river/stream reaches, areas adjacent to public lands managed for conservation and mitigation banks, scenic roads, existing private conservation lands, 16<sup>th</sup> Section lands and military installations.

**Important Public Lands in the Northeast FLA:**

Tennessee Tombigbee Waterway, Divide Section WMA, John Bell Williams WMA, Canal Section WMA, Black Prairie WMA, J.P. Coleman State Park, Tishomingo State Park, Tombigbee State Park, Lake Lowndes State Park, Columbus AFB, Sixteenth Section Lands, Lake Monroe, Elvis Presley Lake, Lake Lamar Bruce.

**Threats to natural forest communities in the Northeast FLA:** Urban sprawl, fragmentation/subparcelization, invasive species, second home/vacation home development, conversion of natural stands to pine plantations, channel modification, sand and gravel mining.

## Northeast Mississippi Forest Legacy Area



**Central MS Forest Legacy Area** includes parts of 5 counties - Copiah, Hinds, Madison, Rankin, Simpson.

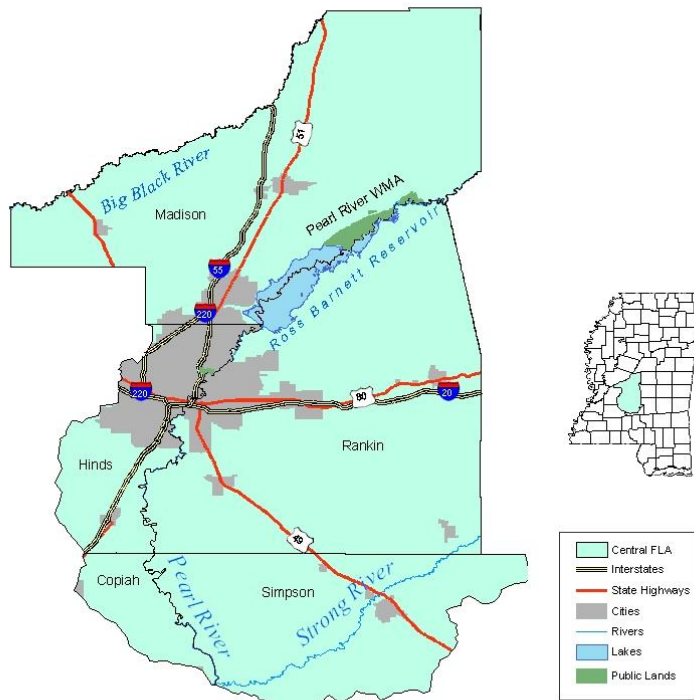
**Important Forest Types in the Central FLA:**

Bottomland hardwoods, bald cypress/gum swamp forests, lower slope/high terrace hardwood forests.

**Other Conservation Values and Priorities in the Central FLA:**

Big Black River drainage, Upper and Lower Pearl River drainage, Ross Barnett Reservoir, Natchez Trace corridor, riparian corridors and forested wetlands along ecoregional priority river/stream reaches, areas adjacent to public lands managed for conservation and mitigation, existing private conservation lands and 16<sup>th</sup> Section lands.

**Central Mississippi Forest Legacy Area**



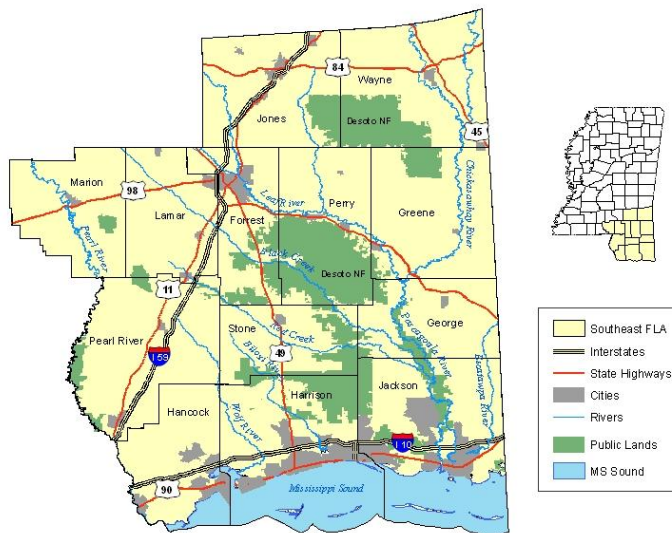
**Important Public**

**Lands in the Central FLA:** Natchez Trace National Park, Ross Barnett Reservoir, Pearl River WMA, Copiah County WMA, LeFleurs Bluff State Park, Sixteenth Section lands, Simpson County Lake, Calling Panther Lake.

**Threats to natural forest communities in the Central FLA:** Metro area sprawl, significant suburban and exurban development, fragmentation/ subparcelization, flood control/channel modification, road construction, sand and gravel mining.

**Southeast Forest Legacy Area** includes all of 13 counties - Forrest, George, Greene, Hancock, Harrison, Jackson, Jones, Lamar, Marion, Pearl River, Perry, Stone, Wayne.

### Southeast Mississippi Forest Legacy Area



#### Important Forest Types in the Southeast FLA:

Wet pine savannas/slash  
pine flatwoods, mesic  
longleaf pine forests, dry  
longleaf pine forests,  
bottomland hardwoods,  
small stream swamp  
forests, maritime forests,  
beech/magnolia forests,  
pine seeps.

#### Values and Priorities for Southeast FLA:

Pascagoula River  
drainage, Lower Pearl  
River drainage, Black  
Creek, Leaf River,  
Okatoma Creek, Ragland  
hills, Leaf River, scenic  
streams, fallout habitat for  
neotropical migratory  
songbirds, Black bear,  
gopher tortoise, gopher  
frog, pitcher plant habitat,  
riparian corridors and  
forested wetlands along  
ecoregional priority  
river/stream reaches,  
areas adjacent to public

lands managed for conservation and mitigation banks, existing private conservation  
lands, 16<sup>th</sup> Section lands and military installations.

**Important Public Lands in the Southeast FLA:** DeSoto National Forest, Chickasawhay Ranger District, Stennis Space Center, Camp Shelby, Red Creek WMA, Pascagoula River WMA, Wolf River WMA, Leaf River WMA, Old River WMA, Little Biloxi WMA, Red Creek WMA, Ward Bayou WMA, Chickasawhay WMA, Mississippi Sandhill Crane NWR, Grand Bay NWR, Coastal Preserves, Paul B. Johnson State Park, Buccaneer State Park, Shepard State Park, Sixteenth Section Lands.

**Threats to natural forest communities the Southeast FLA:** Significant urban and exurban sprawl from coastal development and Hattiesburg, recent population shifts within the region generated by Hurricane Katrina, significant recent timber losses from Hurricane Katrina, second home/vacation home development, decades of fire exclusion, sale of industry lands to individuals, invasive species, road construction, conversion of natural stands to pine plantations and sand and gravel mining.

### Who may apply for Forest Legacy? When?

FLP is strictly voluntary. Landowners with an interest in protecting and conserving their natural forest land may make application to the FLP Coordinator by **August 15, 2010** to have their property considered for nomination for federal fiscal year 2012 (begins October 1, 2011). The application helps determine the extent of threat to the forestland for land use change and establishes a rating procedure to ensure that only the most environmentally important forests are considered. Applications will be reviewed and ranked by MFC and then submitted to the USFS for consideration. All tracts must have a Forest Stewardship Plan to be considered and they must fall within a FLA. Tracts that meet the national and state guidelines have the best chance of being nominated and funded.

### What are the national and Mississippi guidelines for FLP?

**National** – Tracts shall have significant environmental values or shall be threatened by present or future conversion to non-forest use. National priority will be given to land that can be effectively protected and managed AND that has important scenic or recreational values, riparian areas, fish and wildlife values, or other ecological values. There are four national criteria that will be used to score and rank projects:

**Importance** – What are the environmental, social and economic benefits gained from protecting the tract? (threatened and endangered species habitat, water supply/watershed protection, forestry, tourism/public access, scenic, fish and wildlife habitat, historic/cultural).

**Threatened** -- What are threats to conversion (adjacent land use changes, ability to develop, sale pending, aging landowners, uncertain future use of property by heirs)?

**Strategic** – Does the property fit in a larger conservation plan, strategy or initiative by a government agency or organizations? Is it strategically linked to enhance already protected lands (FLP, NRCS, NOAA, USFS, USFWS, MDWFP, MDMR or non-government lands)?

**Readiness** – Is there local support? Can the project be completed? Is there a completed appraisal, easement conditions, cost share commitment, signed option or purchase agreement, title search, forest stewardship plan?

**State** – In addition to the national criteria, to be eligible for inclusion, tracts must be located in a MS FLA, *threatened* by conversion, must be owned by a *willing seller* and must also possess environmental values that can be *protected and managed effectively*. Projects must also meet one or more of the Mississippi FLP *objectives*:

- ✓ Sustain native or rare and unique forest communities.
- ✓ Protect water quality.
- ✓ Protect forests from development along lakes, rivers and buffer protected lands.
- ✓ Protect wildlife habitat.
- ✓ Maintain traditional forest uses, including hunting and fishing.
- ✓ Sustain productive forests.
- ✓ Provide public recreation opportunities.

### What are the cost share requirements?

The maximum federal contribution for total program costs may not exceed 75%. Thus, the **non-federal cost share of AT LEAST 25%** must be documented and may consist of 1) the value of land, or interest in land, dedicated to FLP that is not paid for by the federal government; 2) nonfederal costs associated with program implementation; and 3) other non-federal costs associated with a grant or other agreement that meets FLP



purpose. Cost share can be contributed by the landowner, other partners such as land trusts or other organizations, other state or local agencies or other project partners.

**Federal funds from FLP** may be used to cover transaction costs including appraisals and appraisal review, land surveys, closing costs, baseline documentation reports, title work, purchase of title insurance, conservation easement drafting or other real estate transaction expenses for fee title land acquisition. Federal funds may also be used to facilitate donations of land or interests in lands to a qualified donee, by paying expenses directly related to the donation, including land surveys, easement drafting, title work and establishing baseline information. For an outright donation of a conservation easement, program funds may not be used to pay for an appraisal. In the case of a partial donation, an appraisal meeting federal standards is required to determine the value of the property. FLP funds may be used for appraisals on a partial donation.

**What is the likelihood of a particular forest being selected for FLP designation?**

Competition for FLP dollars is fierce. Limited funding on the federal level and competition by almost 50 states actively participating in Forest Legacy focus the selection process on the most unique forest properties that best meet national criteria. Only a one or two properties will likely be protected each year in Mississippi depending upon tract size, development value and landowner interest.

**Is FLP protection for everyone?**

FLP protection involves the sale of property or the purchase of a perpetual conservation easement for the development rights on a forest tract. If the property is sold, it will be owned by a government agency and managed in perpetuity for conservation. If the easement is purchased or donated, it serves as a protection strategy that locks in the future use of the forest in perpetuity by means of a deed restriction. Landowners should seriously consider the legal, tax, and estate ramification of a conservation easement prior to applying for Forest Legacy protection.

**What is a Conservation Easement?**

A conservation easement is a legal agreement between a landowner and a land trust or government agency that permanently limits use of the land in order to protect its conservation values. The conservation easement is either donated to, or purchased by, the entity holding the easement. The landowner retains title and all remaining land rights not specifically conveyed or prohibited in the easement. If a conservation donation benefits the public by permanently protecting important resources and meets other federal tax code requirements, it may qualify as a tax-deductible charitable donation. The amount of the donation is the difference between the land's value with the easement and its value without the easement. In most cases, conservation easements acquired with FLP funds will be held by a government agency.

**Application deadline?** August 15, 2010

**Where can I find more information?**

**MS FLP Assessment of Need** - [http://www.mfc.state.ms.us/forest\\_legacy.htm](http://www.mfc.state.ms.us/forest_legacy.htm)

Bruce Frasier  
**Forest Legacy Coordinator**  
(601) 656-1381 office  
(662) 791-9867 cell  
[bfrasier@mfc.state.ms.us](mailto:bfrasier@mfc.state.ms.us)

Elizabeth Barber  
**Forest Legacy Consultant**  
(601) 957-3443 office  
(601) 214-3093 cell  
[liz@barberandmann.com](mailto:liz@barberandmann.com)

